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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, )  
14 )  
15 v. )  
16 ERIC JONES, )  
17 Defendant. )

No. CR 12-0674 JSW

STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME FROM  
OCTOBER 17, 2012 TO NOVEMBER 2,  
2012 FROM CALCULATIONS UNDER  
THE SPEEDY TRIAL ACT  
(18 U.S.C. § 3161)

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20  
21 The defendant, Eric Jones, represented by Candis Mitchell, Assistant Federal Public  
22 Defender, and the government, represented by Cynthia Frey, Assistant United States Attorney,  
23 appeared before the Honorable Joseph C. Spero on October 17, 2012, for a detention hearing.  
24 The Court ordered that the defendant be detained pending trial and set the matter over for a status  
25 conference before the Honorable Jeffrey S. White on November 2, 2012.

26 The parties agreed that time should be excluded under the Speedy Trial Act between  
27 October 17, 2012 and November 2, 2012 for purposes of effective preparation of counsel, in  
28 order to provide defense counsel with adequate time to review the discovery, conduct additional

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1 investigation, and consult with the defendant. In addition, the defendant agrees to exclude for  
2 this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represent that  
3 granting the continuance, is necessary for continuity of defense counsel and effective preparation,  
4 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties  
5 also agree that the ends of justice served by granting such a continuance outweigh the best  
6 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).  
7

8 SO STIPULATED:

9 MELINDA HAAG  
10 United States Attorney

11 DATED: October 29, 2012

12 /S/  
CYNTHIA M. FREY  
Assistant United States Attorney

13  
14 DATED: October 29, 2012

15 /S/  
CANDIS MITCHELL  
Attorney for ERIC JONES

1 Based upon the representation of counsel and for good cause shown, the Court finds that  
2 failing to exclude the time between October 17, 2012 and November 2, 2012 would unreasonably  
3 deny the defendant continuity of counsel and would deny counsel the reasonable time necessary  
4 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §  
5 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time  
6 between October 17, 2012 and November 2, 2012 from computation under the Speedy Trial Act  
7 outweigh the best interests of the public and the defendant in a speedy trial.

8  
9 Therefore, IT IS HEREBY ORDERED that the time between October 17, 2012 and  
10 November 2, 2012 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.  
11 §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

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13  
14 DATED: 11/02/12

